

Application No.: 09/762,380
Amendment Dated: August 3, 2006
Reply to Office Action Of: May 18, 2006

MTS-3243US

Remarks/Arguments:

Claims 6, 32 and 34 have been amended. Claims 36-38 are newly added. All the other claims have now been cancelled.

Applicants thank the Examiner for the opportunity to discuss the rejected claims in view of the cited references during the telephone Interview of July 18, 2006. Applicants also thank the Examiner for his helpful suggestions in amending claim 6.

Specification

The Examiner requested a new Specification that corrects the several notations of "sic" in the original Specification. The enclosed Substitute Specification has now corrected the "sic" notations. The corrections essentially reflect the Preliminary Amendment that was filed with the original application on February 7, 2001. No new matter has been added.

Section 102-103 Rejections

Applicants have now filed a Preliminary Amendment with a Request for Continued Examination (RCE). Applicants request that prosecution of this application be re-opened with the amended and newly added claims.

Amended claim 6 includes the following features:

- recording means for recording a predetermined **MPEG transport stream** discretely including Program Specific Information (PSI) or Service Information (SI) of a program;
- detecting means for detecting **the** PSI or **the** SI from the **MPEG transport stream**; and
- adding means for adding **the** PSI or **the** SI to the **head of the MPEG transport stream** upon recording of the MPEG transport stream.

Basis for this amendment may be found, for example, in the Specification at page 16, lines 20-23. As described therein, upon receiving the PSI data, means of adding PSI 5 provides the PSI data to the means of controlling records 2 and then

adds the PSI data to the head of the MPEG-transport stream in the means of controlling records 2.

As discussed with the Examiner during the Interview on July 18, 2006, amended claim 6 is not anticipated nor is obvious in view of Blatter and Yanigahara. As amended, claim 6 recites that after detecting the PSI or the SI from the MPEG transport stream, adding means is provided for **adding the PSI or the SI to the head of the MPEG transport stream**. As also recited, the PSI or the SI is **first detected** and then **the same PSI or the same SI is added** to the **head** of the MPEG transport stream.

Applicants note that the MPEG transport stream is comprised of several packets. Applicants submit that "adding the PSI or the SI to the **head** of the MPEG transport stream **cannot** possibly mean that the PSI or the SI is added to a header of a packet within the MPEG transport stream. Therefore, amended claim 6 is clear when reciting that the PSI or the SI is extracted from the MPEG transport stream and then added to the head of the MPEG transport stream. **Adding data to the head of the MPEG transport stream implies that the data is added ahead of the MPEG transport stream.**

Newly added dependent claim 32, which depends from claim 6, recites that the head of the MPEG transport stream is ahead of the MPEG transport stream.

During the Interview, the Examiner suggested that if language such as now found in newly added claim 36 is incorporated into claim 6, the claim would overcome the cited art of record.

Although not the same, claims 32 and 34 have been amended to include features similar to amended claim 6. Amended claims 32 and 34 are, therefore, not subject to rejection in view of the cited references for the same reasons set forth for amended claim 6. Favorable reconsideration is respectfully requested.

Dependent claims 37 and 38, which depend, respectfully, from amended claims 32 and 34 recite the same feature found in newly added claim 36. Claims 37 and 38 are, therefore, not subject to rejection in view of the cited references for

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same reasons set forth for newly added claim 36. Favorable reconsideration is respectfully requested.

Conclusion

This Application is in condition for allowance with claims 6, 32, 34 and 36-38.

Respectfully submitted,

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JJJ/ds

Attachment: Substitute Specification

Dated: August 3, 2006

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The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

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August 3, 2006

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